

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shuchong Pan et al.

Art Unit : 1649

Serial No. : 10/561,014

Examiner : Chang Yu Wang

Filed : June 6, 2006

Conf. No. : 9426

Title : ISOFORMS OF BRAIN NATRIURETIC PEPTIDE

Mail Stop Petitions Branch

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.182

Inventors Shuchong Pan and Robert D. Simari were listed on the Declaration by Inventors and the Filing Receipt (copies attached). Applicants note, however, that when the above-referenced application published on December 6, 2007, inventor Robert D. Simari was not listed as an inventor on the face of the published application.

Please apply the required fee of \$400 and any other charges or credits to deposit account no. 06-1050.

Respectfully submitted,

Date:/January 5, 2009/

/Elizabeth N. Kaytor/

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CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: January 5, 2009



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APPLICATION NUMBER	FILING or 371(e) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	TOT CLAIMS	IND CLAIMS
10/561,014	06/06/2006	1649	1365	07039-409US1	44	7

CONFIRMATION NO. 9426

26191
FISH & RICHARDSON P.C.
PO BOX 1022
MINNEAPOLIS, MN 55440-1022

FILING RECEIPT



OC000000025575709

Date Mailed: 02/14/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

Applicant(s)

Shuchong Pan, Rochester, MN;
Robert D. Simari, Rochester, MN;

Power of Attorney: The patent practitioners associated with Customer Number 26191

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/17554 06/02/2004
which claims benefit of 60/480,460 06/20/2003

Foreign Applications

If Required, Foreign Filing License Granted: 08/27/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/561,014**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
" SMALL ENTITY "

Title

Isoforms of Brain Natriuretic Peptide

Preliminary Class

530

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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IN THE UNITED STATES RECEIVING OFFICE

Applicant : Shuchong Pan, et. al. Art Unit : Unknown
 Serial No. : 10/561,014 Examiner : Unknown
 Filed : December 16, 2005
 Title : ISOFORMS OF BRAIN NATRIURETIC PEPTIDE

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

DECLARATION BY THE INVENTOR

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ISOFORMS OF BRAIN NATRIURETIC PEPTIDE, the specification of which was filed on December 16, 2005, as Application Serial No. 10/561,014, and identified as Attorney Docket No. 07039-409US1.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/480,460	20 June 2003	Abandoned

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV460732873545
 Date of Deposit June 6, 2006

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Filed : December 16, 2005
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Attorney's Docket No.: 07039-409US1

Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
None		

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
	PCT/US2004/017554	2 June 2004	[X] Yes <input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: SHUCHONG PAN

Inventor's signature: 

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Serial No. : 10/561,014
Filed : December 16, 2005
Page : 3 of 3

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Attorney's Docket No.: 07039-409US1

Full name of inventor: ROBERT D. SIMARI

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